

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: April 23, 2004

Opposition No. 91124223

INTEL CORPORATION

v.

JACQUELINE HALLIDAY DIAZ

Cindy B. Greenbaum, Attorney:

Opposer's motion (filed March 3, 2004) to compel is uncontested by applicant and therefore granted as conceded. See Trademark Rule 2.127(a).

In view thereof, applicant is hereby ordered to serve no later than THIRTY DAYS from the mailing date of this order its responses, without objection, to opposer's first and second sets of interrogatories and first and second requests for production of documents.¹ See *Bison Corp. v. Perfecta Chemie B.V.*, 4 USPQ2d 1718 (TTAB 1987).

In the event applicant fails to respond to opposer's discovery requests as ordered herein, opposer's remedy lies in a motion for judgment pursuant to Trademark Rule 2.120(g)(1), 37 CFR Section 2.120(g).

¹As applicant has not responded to opposer's second set of requests for admissions, said requests are deemed admitted. Fed. R. Civ. P. 36(a).

Discovery and trial dates are reset as indicated below:

DISCOVERY PERIOD TO CLOSE: **July 25, 2004**

Thirty-day testimony period for party in position of plaintiff to close: **October 23, 2004**

Thirty-day testimony period for party in position of defendant to close: **December 22, 2004**

Fifteen-day rebuttal testimony period to close: **February 5, 2005**

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.